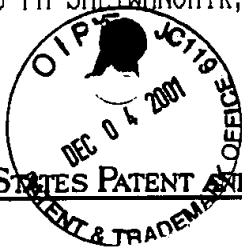


#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/909,735         | 07/20/2001          | John T. Loh           | UTR-103XC1             |

CONFIRMATION NO. 2435

23557

SALIWANCHIK LLOYD & SALIWANCHIK  
A PROFESSIONAL ASSOCIATION  
2421 N.W. 41ST STREET  
SUITE A-1  
GAINESVILLE, FL 326066669

## FORMALITIES LETTER



\*OC000000006509227\*

Date Mailed: 09/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/19/2001 BABRAHA1 00000074 190065 09909735

01 FC:105

130.00 CH

Sector \$

#3



## FACSIMILE COVER SHEET

**SALIWANCHIK, LLOYD & SALIWANCHIK**

A Professional Association  
2421 N.W. 41st Street  
Suite A-1  
Gainesville, FL 32606

Telephone (352) 375-8100  
Facsimile (352) 372-5800

**TO:** Box Missing Parts**FROM:** Frank C. Eisenschenk, Ph.D.  
(Reg. No. 45,332)**COMPANY:** U.S. Patent & Trademark Office**DATE:** December 4, 2001**FAX NO.:** (703) 308-7751**NO. OF PAGES:**  
(INCLUDING COVER SHEET) 11

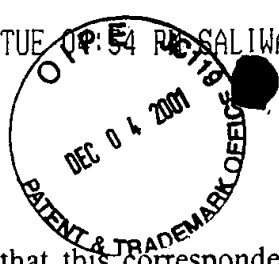
**SUBJECT/MESSAGE:** U.S. Patent Application Docket No. UTR-103XC1  
MATERIALS AND METHODS FOR THE ENHANCEMENT  
OF EFFECTIVE ROOT NODULATION IN LEGUMES  
(Loh and Stacey)  
Serial No. : 09/909,735  
Filed : July 20, 2001  
Conf. No. : 2435

**Attachments:** Transmittal Letter (response to N. to File Missing Parts)  
Fee Transmittal Form  
Response Copy of Notice  
Executed Declaration and Power of Attorney (6 pages)

**THIS IS AN OFFICIAL DOCUMENT.  
PLEASE DELIVER IMMEDIATELY. Thank you.**

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*Frank C. Eisenschenk*

Frank C. Eisenschenk, Ph.D., Patent Attorney

MISSING PARTS  
Examining Group 1645  
Patent Application  
Docket No. UTR-103XC1  
Serial No. 09/909,735

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : (Unknown)  
Art Unit : 1645  
Applicants : John T. Loh and Gary Stacey  
Serial No. : 09/909,735  
Filed : July 20, 2001  
Confirm. No. : 2435  
For : Materials and Methods for the Enhancement of Effective Root  
Nodulation in Legumes

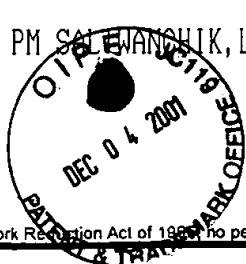
BOX MISSING PARTS  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

TRANSMITTAL LETTER

Sir:

The above-referenced patent application was filed without a signed Declaration (37 C.F.R. § 1.63) and Power of Attorney form. Transmitted herewith is a fully executed Declaration (37 C.F.R. § 1.63) and Power of Attorney form for the subject application. A Notice to File Missing Parts of Application was received from the Patent and Trademark Office, and a copy of that Notice is attached hereto.

#3



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

|                      |               |
|----------------------|---------------|
| Application Number   | 09/909,735    |
| Filing Date          | July 20, 2001 |
| First Named Inventor | John T. Loh   |
| Examiner Name        | (Unassigned)  |
| Group Art Unit       | 1645          |
| Attorney Docket No.  | UTR-103XC1    |

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **19-0065**

Deposit Account Name **Saliwanchik, Lloyd & Saliwanchik**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | FEE PAID |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     |          |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES

Total Claims  -20\*\* =  X  =

Independent Claims  -3\*\* =  X  =

Multiple Dependent  =

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |
| 104            | 280             | 204            | 140             | Multiple dependent claim, if not paid                     |
| 109            | 84              | 209            | 42              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Fee Code | Large Entity Fee (\$) | Fee Code | Small Entity Fee (\$) | Fee Description  | FEE PAID |
|----------|-----------------------|----------|-----------------------|--|----------|
| 105      | 130                   | 205      | 65                    | Surcharge-late filing fee or oath  | 130.00   |
| 127      | 50                    | 227      | 25                    | Surcharge-late provisional filing fee or cover sheet                       |          |
| 139      | 130                   | 139      | 130                   | Non-English specification  |          |
| 147      | 2,520                 | 147      | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 112      | 920*                  | 112      | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*                | 113      | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110                   | 215      | 55                    | Extension for reply within first Month                                     |          |
| 116      | 400                   | 216      | 200                   | Extension for reply within second month                                    |          |
| 117      | 920                   | 217      | 460                   | Extension for reply within third month                                     |          |
| 118      | 1,440                 | 218      | 720                   | Extension for reply within fourth month                                    |          |
| 128      | 1,960                 | 228      | 980                   | Extension for reply within fifth month                                     |          |
| 119      | 320                   | 219      | 160                   | Notice of Appeal   |          |
| 120      | 320                   | 220      | 160                   | Filing for a brief support of an appeal                                    |          |
| 121      | 280                   | 221      | 140                   | Request for oral hearing   |          |
| 138      | 1,510                 | 138      | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140      | 110                   | 240      | 55                    | Petition to revive-unavoidable   |          |
| 141      | 1,280                 | 241      | 640                   | Petition to revive-unintentional   |          |
| 142      | 1,280                 | 242      | 640                   | Utility issue fee (or reissue)   |          |
| 143      | 460                   | 243      | 230                   | Design issue fee   |          |
| 144      | 620                   | 244      | 310                   | Plant issue fee  |          |
| 122      | 130                   | 122      | 130                   | Petitions to the Commissioner  |          |
| 123      | 50                    | 123      | 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 126      | 180                   | 126      | 180                   | Submission of Information Disclosure Stmt.                                 |          |
| 581      | 40                    | 581      | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740                   | 246      | 370                   | Filing a submission after final rejection (37 CFR §1.129(a))               |          |
| 149      | 740                   | 249      | 370                   | For each additional invention to be examined (37 CFR §1.129(b))            |          |
| 179      | 740                   | 279      | 370                   | Request for Continued Examination (RCE)                                    |          |
| 169      | 900                   | 169      | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

## SUBMITTED BY

Complete (if applicable)

|                   |                             |                                   |        |           |                  |
|-------------------|-----------------------------|-----------------------------------|--------|-----------|------------------|
| Name (Print/Type) | Frank C. Eisenschenk, Ph.D. | Registration No. (Attorney/Agent) | 45,332 | Telephone | 352-375-8100     |
| Signature         |                             |                                   |        | Date      | December 4, 2001 |

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



2

Docket No. UTR-103XC1  
Serial No. 09/909,735

Please charge the surcharge of \$130.00 to Deposit Account No. 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this transmittal letter are enclosed.

Respectfully submitted,

Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd & Saliwanchik  
A Professional Association  
2421 NW 41st Street, Suite A-1  
Gainesville, FL 32606-6669

FCE/jaj

Enclosures: Executed Declaration and Power of Attorney  
Copy of Notice to File Missing Parts  
Fee Transmittal Form